

House Engrossed Senate Bill

State of Arizona
Senate
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 207

SENATE BILL 1283

AN ACT

AMENDING SECTION 5-395.03, ARIZONA REVISED STATUTES; RELATING TO WATERCRAFT.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 5-395.03, Arizona Revised Statutes, is amended to
3 read:

4 5-395.03. Test for alcohol concentration or drug content;
5 refusal; civil penalty

6 A. Any person who operates a motorized watercraft that is underway
7 within this state shall submit, subject to the provisions of section 4-244,
8 paragraph 34, section 5-395 or section 5-396, to a test or tests of the
9 person's blood, breath, urine or other bodily substance for the purpose of
10 determining alcohol concentration or drug content if the person is arrested
11 for any offense arising out of acts alleged to have been committed in
12 violation of this chapter or section 4-244, paragraph 34 while the person
13 was operating or in actual physical control of a motorized watercraft that
14 was underway while under the influence of intoxicating liquor or drugs. The
15 test or tests chosen by the law enforcement agency shall be administered at
16 the direction of a law enforcement officer having reasonable grounds to
17 believe the person to have been operating or in actual physical control of
18 a motorized watercraft that is underway within this state while under the
19 influence of intoxicating liquor or drugs, or if the person is under
20 twenty-one years of age, with spirituous liquor in the person's body.

21 B. Following an arrest a violator shall be requested to submit to and
22 successfully complete any test or tests prescribed by subsection A of this
23 section, and if the violator refuses the violator shall be informed that he
24 is subject to a civil sanction.

25 C. A person who refuses any test or tests prescribed by subsection A
26 of this section shall be charged with a petty offense. A person who is
27 convicted of a petty offense pursuant to this subsection shall be fined three
28 hundred IS SUBJECT TO A CIVIL PENALTY OF SEVEN HUNDRED FIFTY dollars.

29 D. If a person under arrest refuses to submit to the test designated
30 by the law enforcement agency as provided in subsection A of this section
31 none shall be given, except as provided in section 5-395, subsection J or
32 pursuant to a search warrant.

APPROVED BY THE GOVERNOR MAY 12, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 13, 2003.

Passed the House April 14, 20 03

by the following vote: 34 Ayes,

26 Nays, 0 Not Voting



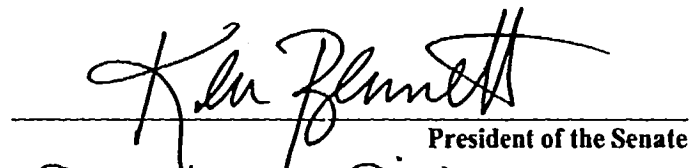
Speaker of the House
Pro Tempore


Chief Clerk of the House

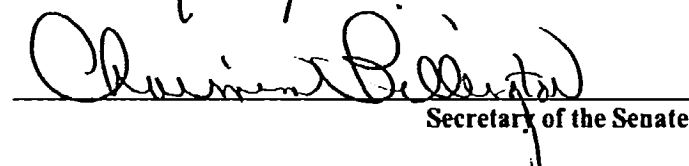
Passed the Senate February 26, 20 03

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting



President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

S.B. 1283

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this day of , 20 ,

at o'clock M.

Secretary of State

SENATE CONCURS IN HOUSE AMENDMENTS
AND FINAL PASSAGE

Passed the Senate May 6, 2003

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

Klu Blumett
President of the Senate
Channing Bellinger
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

6 day of May, 2003

at 3:11 o'clock P M.

Sandra Ramirez
Secretary to the Governor

Approved this 12 day of

May, 2003,

at 9:10 o'clock A M.

JA Nye
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 13 day of May, 2003

at 4:03 o'clock P M.

Janice K. Brewer
Secretary of State

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